



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,256	01/30/2004	Eisuke Miyoshi	008312-0308037	4861
909	7590	11/27/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			PARRA, OMAR S	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2621	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,256

Applicant(s)

MIYOSHI, EISUKE

Examiner

Omar Parra

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:01/30/2004,04/20/2005,08/24/2005,10/05/2005.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) based on application 2003-024860 filed in Japan on January 31, 2003, and the Certified Copy of the Foreign application was received on 01/31/2004.

Information Disclosure Statement

2. The information disclosure statements filed on 01/30/2004, 04/20/2005, 08/24/2005 and 10/05/2005 were considered for prosecution purposes.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the present application is objected to because in its third line it uses the word "comprises", which the examiner construed to be legal phraseology.

Appropriate correction required.

Claim Objections

5. Claim 10 is objected to because of the following informality. As construed by the examiner, the phrase "wherein said" in claim-line 2 should be replaced with "further comprising" since no reference to a "control unit" was made in claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims **1-5 and 11** are rejected under 35 U.S.C. 102(b) as being anticipated by Waida et al. (Pub. No. JP-07-203323). This rejection is based upon a computer English translation obtained from JPO website.

8. Consider **claim 1**, Waida et al. teaches a reception apparatus having its reception operation controlled based on initially recorded reserved information comprising:

an input section ("Reservation information input means", 1 Fig. 1) configured to receive reservation information as an input ("A reservation information input means ...inputs reservation information", [0011] lines 3-5);

a recording section configured to record the reservation information inputted by the input section ("A reservation information storage means 3 to memorize two or more

reservation information inputted by this reservation information input means 1", [0111] lines 5-7 or 3, Fig.1);

a deciding section configured to decide whether or not any of those reserved information recorded on the recording section conflicts with the reservation information inputted at the input section ("A reservation information check means 4 to detect duplication of the operating time of each reservation information memorized by this reservation information storage means 3" [0011] lines 7-8 or 4, Fig.1); and

a display section (5, Fig.1) configured to display a result of decision by the deciding section (Having the conflicting parts highlighted in Fig.3 is the result of the decision made from the reservation information check means of having overlapping reservation information).

9. Consider **claim 2**, and as applied on claim 1, Waida et al. teaches of a reception apparatus wherein said display section (5, Fig.1) displays, together with the result of decision by the deciding section (Highlights on Fig.3), the reservation information inputted from said input section ("In addition, in drawing 3, the information shown by the arrow head is -the- new input", [0013] last sentence) and reserved information recorded on said recording section ("When there is duplicate reservation information...the contents of reservation are expressed as the reservation information -on- display means 5", [0012] last sentence).

Art Unit: 2621

10. Consider **claim 3**, and as applied on claim 2, Waida et al. teaches a reception apparatus wherein said display section allows the displayed information to be re-set on a display screen (“...when timer reservation overlaps...a user can choose whether after consenting to duplication of timer reservation, it is made timer reservation or the contents of reservation are changed...”, [0027] lines 3-5).

11. Consider **claim 4**, and as applied on claim 2, Waida et al. teaches a reception apparatus wherein said display section displays the reserved information as a result of decision with an identifier attached thereto (Highlights in the list of Fig.3 identify the conflicting reservation information -second element of the list- from the non-conflicting ones -first listed element-).

12. Consider **claim 5**, and as applied on claim 1, Waida et al. teaches a reception apparatus wherein said display section displays the reserved information recorded on said recording section and, of the reserved information displayed, the reserved information as a result of decision by said deciding section is displayed with a different color relative to the remaining reserved information (On Fig. 3 or 5, conflicting reservation information –second element on the list – is highlighted while the non-conflicting reserved information –first element on the list - is not).

13. Consider **claim 11**, Waida et al. teaches a display apparatus having its reception operation controlled based on reserved information initially recorded comprising:

an input section ("Reservation information input means", 1 Fig. 1) configured to receive reservation information as an input ("A reservation information input means ...inputs reservation information", [0011] lines 3-5);

a recording section configured to record the reservation information received by the input section ("A reservation information storage means 3 to memorize two or more reservation information inputted by this reservation information input means 1", [0111] lines 5-7 or 3, Fig.1);

a deciding section configured to decide any reserved information conflicting with the reservation information inputted from the input section, the reserved information being recorded in said recording section ("A reservation information check means 4 to detect duplication of the operating time of each reservation information memorized by this reservation information storage means 3" [0011] lines 7-8 or 4, Fig.1); and

a display section (5, Fig.1) configured to display the reserved information decided by said deciding section (Having the conflicting parts highlighted in Fig.3 is the result of the decision made from the reservation information check means of having overlapping reservation information).

14. Claims **1, 6-8 and 12-15** are rejected under 35 U.S.C. 102(b) as being anticipated by Rokusha et al. (Pub. No. JP 11-185316). This rejection is based upon a computer English translation obtained from JPO website.

Art Unit: 2621

15. Consider **claim 1**, Rokusha et al. teaches a reception apparatus having its reception operation controlled based on initially recorded reserved information comprising:

an input section configured to receive reservation information as an input ("Reservation information input", 205 in Fig.1);

a recording section configured to record the reservation information inputted by the input section ("Reservation information storage", [0035] last sentence or 104, Fig.1);

a deciding section ("The image transcription reservation Management Department 303...") configured to decide whether or not any of those reserved information recorded on the recording section conflicts with the reservation information inputted at the input section ("...compares the information...contained in the information inputted from said reservation information input section 205 withthe information already saved in the image transcription reservation storage section 104, and detects the existence of a duplication period.", [0050] lines 2-7, or 303, Fig.1); and

a display section (306, Fig. 1) configured to display a result of decision by the deciding section ("...screen-display control section displays this on a display 306. A user can know when and when, which and which of a program that looked at this ...have duplication of broadcasting hours...", [0053] lines 2-4).

16. Consider **claim 6**, and as applied on claim 1, Rokusha et al. teaches a reception apparatus further comprising a control section ("Program Research and Data Processing Department", 301 Fig.1) configured to, when the reservation information

Art Unit: 2621

conflicts with the reserved information, generate a non-conflicting reservation candidate or candidates for display on said display section (“...the program Research and Data Processing Department 301 displays the re-broadcast time list 408...”, [0069] lines 11-12 or 408, Fig. 2(e)).

17. Consider **claim 7**, and as applied on claim 6, Rokusha et al. teaches a reception apparatus wherein said control section allows the displayed reservation candidate or candidates to be selected on a screen of the display section (“...re-broadcast information is chosen, the location of cursor 409 is moved for every program broadcast time on the re-broadcast time list 408 according to directions of a remote controller...Image transcription reservation is determined by pushing the reservation decision carbon button of a remote controller.”, [0070] lines 2-5).

18. Consider **claim 8**, and as applied to claim 1, Rokusha et al. teaches having a reception apparatus further comprising a control section (“Program Research and Data Processing Department”, 301 Fig.1) configured to allow a display, on said display section, of a condition under which the reservation information inputted by said input section does not conflict with the reserved information recorded on said recording section (By providing a listing of candidates programs where there is no conflict, it is inherent that the device is displaying a condition under which the inputted reservation information is not conflicting with the reserved information recorded. The list of candidates is provided as shown in element 408 in Fig. 2(e)).

19. Consider **claim 12**, Rokusha et al. teaches having a reception method for controlling a reception based on reserved information which is initially recorded, comprising:

inputting reservation information ("...the reservation input section 205 is for inputting the program information to reserve.", [0034] lines 2-3);

recording the inputted reservation information ("...the image transcription reservation Management Department 303 memorizes the program information inputted from said reservation information in the image transcription reservation information storage 104", [0051] numbers referring to elements of Fig.1);

deciding any of the recorded reserved information conflicting with the inputted reservation information ("...compares the information...contained in the information inputted from said reservation information input section 205 withthe information already saved in the image transcription reservation storage section 104, and detects the existence of a duplication period.", [0050] lines 2-7, numbers referring to Fig.1); and

displaying any reserved information decided ("...screen-display control section displays this on a display 306. A user can know when and when, which and which of a program that looked at this ...have duplication of broadcasting hours...", [0053] lines 2-4).

20. Consider **claim 13**, and as applied on claim 12, Rokusha et al. teaches a method further comprising, when the reservation information conflicts with any recorded reserved information, generating and displaying a non-conflicting candidate or

candidates ("...the program Research and Data Processing Department 301 displays the re-broadcast time list 408...", [0069] lines 11-12 or 408, Fig. 2(e)).

21. Consider **claim 14**, and as applied on claim 12, Rokusha et al. teaches a method further comprising displaying a condition under which the inputted reservation information does not conflict with the recorded reserved information (By providing a listing of candidates programs where there is no conflict, it is inherent that the device is displaying a condition under which the inputted reservation information is not conflicting with the reserved information recorded. The list of candidates is provided as shown in element 408 in Fig. 2(e)").

22. Consider **claim 15**, and as applied on claim 12, Rokusha et al. also teaches a method further comprising displaying any conflicting portion between the inputted reservation information and any recorded reserved information on a comparative diagram (On Fig. 2(d), the two conflicting channels 2 and 4 are shown having their respective duration highlighted, and it is easily seen that they overlap from 10:00 to 10:30).

23. Claims **1 and 9-10** are rejected under 35 U.S.C. 102(b) as being anticipated by Makino (Pub. No. JP 06-060475). This rejection is based upon a computer English translation obtained from JPO website.

Art Unit: 2621

24. Consider **claim 1**, Makino teaches a reception apparatus having its reception operation controlled based on initially recorded reserved information comprising:

an input section (“...the input circuits 2, such as a keyboard, a reservation program, reservation information-display program, etc...”, [0007] lines 5-6 or 2, Fig. 1) configured to receive reservation information as an input;

a recording section (“...the store circuit 3 containing ROM which is carrying out the storage receipt of the input circuit 2...”, [0007] lines 4-5 or 3, Fig. 1) configured to record the reservation information inputted by the input section

a deciding section (“a sign 1 is CPU (central-process circuit unit)”, [0007] line 1 or 1, Fig. 1) configured to decide whether or not any of those reserved information recorded on the recording section conflicts with the reservation information inputted at the input section; and

a display section (“...the monitor output circuit 6 which superimposes the above-mentioned reservation information to the screen monitor 5...”, [0007] line 2-3) configured to display a result of decision by the deciding section.

25. Consider **claim 9**, and as applied to claim 1, Makino teaches a reception apparatus further comprising a control section (“...the monitor output circuit 6 which superimposes the above-mentioned reservation information...” [0007] lines 2-3 or 6, Fig. 1) configured to allow any conflicting portion between the reservation information inputted by said input section and the reserved information recorded on said recording section to be displayed on a comparative diagram (Fig. 5 shows conflicting programs,

Art Unit: 2621

where the horizontal black lines are the programs to be recorded and the shaded areas are the time-conflicting portions).

26. Consider **claim 10**, and as applied to claim 1, Makino teaches a reception apparatus wherein said control section ("...the monitor output circuit 6 which superimposes the above-mentioned reservation information..." [0007] lines 2-3 or 6, Fig. 1) allows the reserved information to be re-set by changing a configuration of a diagram on a display screen ("...by actuation of a right-and-left key, cursor is movable, in the phase doubled at reservation start time, the "OK" key is operated and start time is decided.", [0017] lines 3-4, referring to Fig. 8. The same process applies for end time).

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. A list of said art is provided below and the reason they are considered pertinent to the examiner:

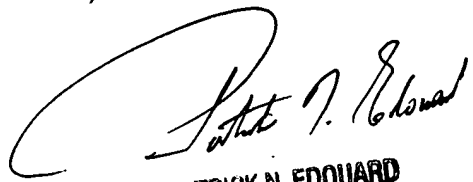
Prior Art	Reason to be pertinent
Iino (Pub. No. US 2005/0229211)	Possesses substantially the same structure and shows features of claims 1-3, 5, and 9-12.
Green et al. (Pub. No. US 2004/0218905)	Shows features of claims 2, 4 and 9-10.
Macrae et al. (Pub. No. US 2003/0208756)	Shows features of claims 6, 7, 9 and 13-15.
Shao et al. (Pub. No. US 2004/0049794)	Shows features of claim 6.

Willame et al. (Pub. No. US 2006/0179462)	Shows features of claim 2 and the structure.
---	--

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Parra whose telephone number is 571-270-1449. The examiner can normally be reached on Under Academy Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OP



PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER